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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,889	04/10/2001	Toshio Yagihashi	Q63958	7824

7590 04/13/2004

SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER	
SHERR, CRISTINA O	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/828,889	YAGIHASHI ET AL.	
	Examiner	Art Unit	
	Cristina O Sherr	3621	MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *7 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to applicant's Amendment filed 7 January 2004. Claims 1-17 have been amended. Claims 18-27 are newly filed. Claims 1-27 are pending in this case.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

3. The original drawings in this case were received on 4 October 2001. A replacement sheet for drawin6 1 was included in the amendment filed 7 January 2003. Receipt of said replacement drawing is acknowledged.

Response to Arguments

4. Applicant's arguments filed 7 January 2004 have been fully considered but they are not persuasive. Applicant argues, with respect to claims 1-17 that Koritzinsky does not discloses a design database server for storing a design database containing information on sample circuits. Attention is directed to Koritzinsky (US 6,272,469B1) at Col. 2 ln 39 – col 3 ln 2.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of

this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

6. Claims 1-6 and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky (US 6,272,469B1).

7. Regarding claims 1 and 18-21 –

Koritzinsky discloses a network-based design service system, comprising design database server for storing a design database containing information on parts/vendors, information on sample circuits, and information on anti-noise circuit and other design know-how that are registered by a parts vendor in advance via a network; designer terminal for a designer to search said design database, determine design conditions autonomously, and conduct the design of a device; and account terminal for paying a royalty for utilizing the design database from the bank account of the designer to the bank account of the parts vendor upon utilization of said design database (Col. 2 ln 39 – col 3 ln 2).

8. Regarding claim 2 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, wherein said designer terminal searches said design database on a WWW site, and conducts the design of the device (Col 2 ln 54-59).

9. Regarding claim 3 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, wherein said account terminal has a function for paying an employment fee from a bank account of a parts vendor to the bank account of the designer upon employment of a part by said designer (Col 4 ln 19-45).

10. Regarding claim 4 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, comprising: means for notifying other design terminals if a problem is found in a sample circuit during the design process for the device (Col 4 ln 33-45).

11. Regarding claim 5 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, comprising: means for the designer to conduct circuit design for the device, and determine parts to employ through price simulation for meeting a target price of the device and noise simulation for achieving a required noise proof performance (Col 6 ln 7-22).

12. Regarding claim 6 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, comprising means for notifying other designer terminals if a problem is found in a sample circuit during the design process for the device; and means for the designer to conduct circuit design for the device, and determine parts to employ through price simulation for meeting a target price of the device and noise simulation for achieving a required noise proof performance (Col 7 ln 22-34).

13. Claims 7-12 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky (US 6,272,469B1).

14. Regarding claims 7 and 22-24 –

Koritzinsky discloses a network-based design method, comprising the steps of

a parts vendor registering on a design database server various kinds of information, including information on parts/vendors, information on sample circuits, and information on anti-noise circuit and other design know-how, in advance via a network; a designer searching said design database, determining design conditions autonomously, and conducting the design of a device; and paying a royalty for utilizing the design database from the bank account of the designer to the bank account of the parts vendor upon utilization of said design database (Col 8 ln 5-28).

15. Regarding claim 8 –

Koritzinsky discloses the network-based design method as set forth in claim 7, wherein said design step searches said design database on a WWW site and conducts the design of a device (Col 9 ln 10-32).

16. Regarding claim 9 –

Koritzinsky discloses the method of claim 7, further comprising the step of paying an employment fee from a bank account of the parts vendor to the bank account of the designer upon employment of a part by said designer (Col 9 ln 34-45).

17. Regarding claim 10 –

Koritzinsky discloses the network-based design method as set forth in claim 7, comprising the step of notifying other design terminals if a problem is found in a sample circuit during the design process for the device (Col 14 ln 40-51).

18. Regarding claim 11 –

Koritzinsky discloses the network-based design method as set forth in claim 7, comprising the step of the designer conducting circuit design for the device, and

determining parts to employ through price simulation for meeting a target price of the device and noise simulation for achieving a required noise proof performance (Col 14 ln 24-38).

19. Regarding claim 12 –

Koritzinsky discloses the network-based design method as set forth in claim 7, comprising the steps of notifying other designer terminals if a problem is found in a sample circuit during the design process for the device; and the designer conducting circuit design for the device, and determining parts to employ through price simulation for meeting a target price of the device and noise simulation for achieving a required noise proof performance (Col 25 ln 27-45).

20. Claims 13-17 and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky (US 6,272,469B1).

21. Regarding claims 13 and 25-27 –

Koritzinsky discloses a network-based design service system, comprising design database server for storing a design database containing information on parts/vendors, information on sample circuits, and information on anti noise circuit and other design know-how that are registered by a parts vendor in advance via a network; and designer terminal for a designer to search said design database, determine design conditions autonomously, and conduct the design of a device (Col. 2 ln 39 – col 3 ln 2).

22. Regarding claim 14 –

Koritzinsky discloses the network-based design service system as set forth in claim 13, wherein said designer terminal searches said design database on a WWW site, and conducts the design of the device (Col 2 ln 54-59).

23. Regarding claim 15 –

Koritzinsky discloses the network-based design service system as set forth in claim 13, comprising means for notifying other designer terminals if a problem is found in a sample circuit during the design process for the device (Col 2 ln 54-59).

24. Regarding claim 16 –

Koritzinsky discloses the network-based design service system as set in claim 13, comprising means for the designer to conduct circuit design for the device and determine parts to employ through price simulation for meeting a target price and noise simulation for achieving a required noise proof performance (Col 6 ln 7-22).

25. Regarding claim 17 –

Koritzinsky discloses the network-based design service system as in claim 13, comprising means for notifying other designer terminals if a problem in a sample circuit during the design process for the device and determine parts to employ through price simulation for meeting a target price and noise simulation for achieving a required noise proof performance (Col 7 ln 22-34).

26. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures

may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

28. Ginter et al (US 6,237,786B1) discloses systems and methods for secure transaction management and electronic rights protection.

29. Sprague et al (US 5,247,575A) disclose an information distribution system.

30. Sirbu et al (US 5,808,144) discloses a method and apparatus for purchasing and delivering digital goods over a network.

31. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

32. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

35. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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